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Attorneys for Plaintiffs  
WARNER BROS. RECORDS INC.; UMG  
RECORDINGS, INC.; ARISTA RECORDS LLC;  
BMG MUSIC; CAPITOL RECORDS, INC.;  
PRIORITY RECORDS LLC; SONY BMG MUSIC  
ENTERTAINMENT; and CAROLINE RECORDS,  
INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

WARNER BROS. RECORDS INC., a Delaware  
corporation; UMG RECORDINGS, INC., a  
Delaware corporation; ARISTA RECORDS  
LLC, a Delaware limited liability company;  
BMG MUSIC, a New York general partnership;  
CAPITOL RECORDS, INC., a Delaware  
corporation; PRIORITY RECORDS LLC, a  
California limited liability company; SONY  
BMG MUSIC ENTERTAINMENT, a Delaware  
general partnership; and CAROLINE  
RECORDS, INC., a New York corporation,

Plaintiffs,

vs.

DANIEL PAAINA,

Defendant.

Case No.: C 06-2712 JL

Honorable James Larson

**EX PARTE APPLICATION TO  
CONTINUE CASE MANAGEMENT  
CONFERENCE AND ~~PROPOSED~~  
ORDER**

1 Plaintiffs hereby request that this court continue the Case Management Conference scheduled  
 2 for July 26, 2006 at 10:30 a.m. to September 20, 2006. The parties have come to a settlement-in-  
 3 principle but the finalized settlement documents have not yet been executed. Plaintiffs and  
 4 Defendant are continuing to finalize the settlement, and it is not expected that the present settlement-  
 5 in-principle will dissolve. Thus, no pretrial scheduling or case management need be completed at  
 6 the date scheduled. Plaintiffs therefore request that the Court continue the case management  
 7 conference to September 20, 2006, so that parties may finalize the terms of their settlement.  
 8 Plaintiffs further request that all other deadlines set in this action be continued, for the same reasons,  
 9 as follows:

10 1. Parties are to meet and confer regarding initial disclosures, early settlement, ADR  
 11 process selection, and discovery plan by August 30, 2006.

12 2. Parties are to file a Joint ADR Certification with Stipulation to ADR Process or  
 13 Notice of Need for ADR Phone Conference by August 30, 2006.

14 3. Initial Disclosures, Case Management Statements and the parties' Rule 26(f) Report  
 15 are due by September 13, 2006.

16  
 17 Dated: July 19, 2006

HOLME ROBERTS & OWEN LLP

18  
 19 By: /s/ Leemore Libesman

20 Leemore Libesman  
 21 Attorneys for Plaintiffs  
 22 WARNER BROS. RECORDS INC.; UMG  
 23 RECORDINGS, INC.; ARISTA RECORDS  
 24 LLC; BMG MUSIC; CAPITOL RECORDS,  
 25 INC.; PRIORITY RECORDS LLC; SONY BMG  
 26 MUSIC ENTERTAINMENT; and CAROLINE  
 27 RECORDS, INC.  
 28

**ORDER**

Good cause having been shown:

**IT IS ORDERED** that the Case Management Conference previously set for July 26, 2006, is continued to September 20, 2006 at 10:30 a.m. Parties are to meet and confer regarding initial disclosures, early settlement, ADR process selection, and discovery plan by August 30, 2006. Parties are to file a Joint ADR Certification with Stipulation to ADR process or Notice of Need for ADR Phone Conference on August 30, 2006. Completion of Initial Disclosures, filing of Case Management Statements and the filing and service of the Rule 26(f) Report are due by September 13, 2006.

Dated: July 20, 2006

By: \_\_\_\_\_

